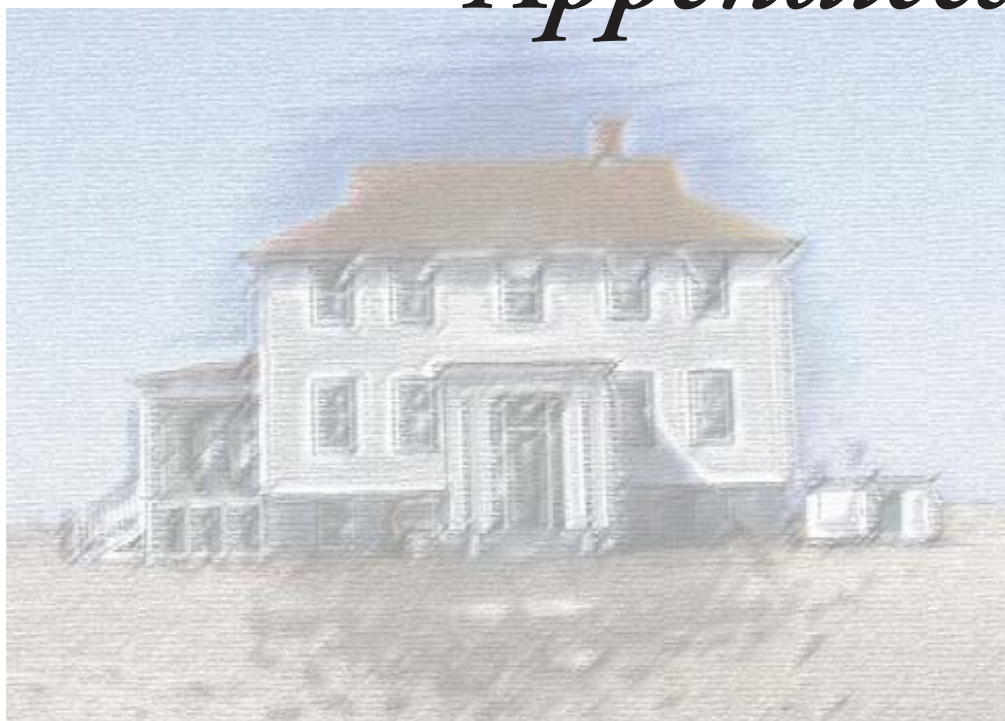


Appendices



- A. Environmental Screening Form
- B. Summary Table: Assateague Beach Coast Guard Station Cultural Landscape Defining Features
- C. Coastal Zone Management Act Consistency Determination for the Preferred Alternative, B: Rehabilitation for Adaptive Use
- D. Agency Compliance Letters and Correspondence
- E. Bibliography

A. Environmental Screening Form

The Environmental Screening Form is a working document that evolves with the compliance process as coordination and consultation take place.

A. PROJECT INFORMATION

Park Name:	<u>Assateague Island National Seashore</u>	Project Number:	<u>N/A</u>
Project Type (Check):	<input type="checkbox"/> Cyclic <input type="checkbox"/> Cultural Cyclic <input type="checkbox"/> Repair/Rehab <input checked="" type="checkbox"/> ONPS <input type="checkbox"/> NRPP <input type="checkbox"/> CRPP <input type="checkbox"/> FLHP <input type="checkbox"/> Line Item <input type="checkbox"/> Fee Demo <input type="checkbox"/> Concession Reimbursable <input type="checkbox"/> Other		
(specify)	<u></u>		
Project Location :	<u>Assateague Beach Coast Guard Station, Toms Cove, Virginia</u>		
Project Originator/Coordinator:	<u>Carl S. Zimmerman</u>		
Project Title:	<u>Assateague Beach Coast Guard Station Management Plan</u>		
Contract #	<u>N/A</u>	Contractor Name:	<u>Christine Gobrial, NER</u>
Administrative Record Location :	<u></u>		
Administrative Record Contact :	<u></u>		

B. PROJECT DESCRIPTION/LOCATION [To begin the statutory compliance file, attach to this form, maps, site visit notes, agency consultation, data, reports, categorical exclusion form (if relevant), or other relevant materials.]

Preliminary drawings attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Background info attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Date form initiated:	3/25/2003	Anticipated compliance completion date:	2005
Projected advertisement/Day labor start:	N/A	Construction start:	N/A
Is project a hot topic or sensitive issue? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			

Project Description:

The project will develop a management strategy for the former Assateague Beach Coast Guard Station located on the southern tip of Assateague Island adjacent to Toms Cove in Accomack County, Virginia. The site is a Virginia Historic Landmark and has been determined eligible for the National register of Historic Places on the basis of architectural and landscape values. Since its transfer to the National Park Service in 1967 to become part of Assateague Island National Seashore, the Station has been used for temporary housing and storage, and as a site for occasional environmental education and cultural history interpretation programs. In recent years, the Station's use has substantially decreased due to outstanding maintenance and repair needs, and problems accessing the site during summer months due to the presence of breeding piping plover. The project will analyze alternatives to determine the most appropriate course of action for the future use and treatment of the Station, taking into account its historic values as well as the sensitive natural environment in which it is located. An environmental assessment (EA) will be developed to assess the impacts of proposed alternatives on the natural and cultural resources associated with the Station. The EA will also include an Assessment of Effects to meet the Section 106 requires of the National Historic Preservation Act.

C. RESOURCE EFFECTS TO CONSIDER *(Tailor the following to meet individual park/unit project needs.)*

Are any measurable ¹ impacts possible on the following physical, natural or cultural resources?	Yes	No	Data Needed to Determine	Existing Data Completed. (Document Number and Date)
1. Geological resources – soils, bedrock, streambeds, etc.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Geologic/soils survey	
2. From geohazards	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Geologic survey	
3. Air quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Air quality assessment	
4. Soundscapes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Soundscape assessment	
5. Water quality or quantity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water quality assessment	
6. Streamflow characteristics	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Streamflow assessment	
7. Marine or estuarine resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Marine/estuarine assessment	
8. Floodplains or wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Floodplain/wetland survey	
9. Land use, including occupancy, income, values, ownership, type of use	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Regional land use inventory	
10. Rare or unusual vegetation – old growth timber, riparian, alpine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Vegetation survey	
11. Species of special concern (plant or animal; state or federal listed or proposed for listing) or their habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Threatened, endangered and special concern species survey.	
12. Unique ecosystems, biosphere reserves, World Heritage Sites	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ecological assessment	
13. Unique or important wildlife or wildlife habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ecological assessment	
14. Unique or important fish or fish habitat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Fish survey	
15. Introduce or promote non-native species (plant or animal)	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
16. Recreation resources, including supply, demand visitation, activities, etc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Visitor use survey/Site Plan	
17. Visitor experience, aesthetic resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Visitor experience survey/Site Plan	
18. Cultural resources including cultural landscapes, ethnographic resources, Historic Resources (50+ years)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Historic structures	
	<input type="checkbox"/>	<input type="checkbox"/>	Historic Resource Report	
	<input type="checkbox"/>	<input type="checkbox"/>	Historic Furnishings Report	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Archeological resources	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Cultural Landscapes	CLI, 2004
	<input type="checkbox"/>	<input type="checkbox"/>	Determination of Eligibility/National Register Nomination	
19. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ethnographic resources	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Socioeconomic/ Environmental Justice Survey	
20. Minority and low income populations, ethnography, size, migration patterns, etc.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ethnographic Survey	
21. Energy resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Energy Assessment	
22. Other agency or tribal land use plans or policies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Indian trust resource Assessment	
23. Resource, including energy, conservation potential, sustainability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Site Plan, Project Scoping	
24. Urban quality, gateway communities, etc.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Site Plan, Project Scoping	
25. Long-term management of resources or land/resource productivity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resource Management Study	
26. Other important environmental resources (e.g. geothermal, paleontological resources, hazardous materials)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hazardous Materials Survey Paleontological Survey	
Other project specific impact:	<input type="checkbox"/>	<input type="checkbox"/>		

¹ Measurable impacts are those that the interdisciplinary team determines to be greater than negligible by the analysis process described in DO-12 §2.9 and §4.5(G)(4) to (G)(5).

D. MANDATORY CRITERIA

Mandatory Criteria: If implemented, would the proposal:	Yes	No	Data Needed to Determine
A. Have material adverse effects on public health or safety?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
B. Have adverse effects on such unique characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; or ecologically significant or critical areas, including those listed on the National Register of Natural Landmarks?	<input type="checkbox"/>	<input type="checkbox"/>	
C. Have highly controversial environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	
D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
F. Be directly related to other actions with individually insignificant, but cumulatively significant, environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
G. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?	<input type="checkbox"/>	<input type="checkbox"/>	
H. Have adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species or have adverse effects on designated Critical Habitat for these species?	<input type="checkbox"/>	<input type="checkbox"/>	
I. Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
J. Threaten to violate a federal, state, local, or tribal law or requirement imposed for the protection of the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
K. Involve unresolved conflicts concerning alternative uses of available resources (NEPA sec. 102(2)(E))?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
L. Have a disproportionate, significant adverse effect on low-income or minority populations (EO 12898)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
M. Restrict access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 13007)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
N. Contribute to the introduction, continued existence, or spread of federally listed noxious weeds (Federal Noxious Weed Control Act)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
O. Contribute to the introduction, continued existence, or spread of non-native invasive species or actions that may promote the introduction, growth or expansion of the range of non-native invasive species (EO 13112)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
P. Require a permit from a federal, state, or local agency to proceed, unless the agency from which the permit is required agrees that a CE is appropriate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Q. Have the potential for significant impact as indicated by a federal, state, or local agency or Indian tribe?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
R. Have the potential to be controversial because of disagreement over possible environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
S. Have the potential to violate the NPS Organic Act by impairing park resources or values?	<input type="checkbox"/>	<input type="checkbox"/>	

E. OTHER INFORMATION (Please answer the following questions/provide requested information.)

Are personnel preparing this form familiar with the site? ☐ Yes ☒ No

Did personnel conduct a site visit? ☒ Yes ☐ No (If yes, attach meeting notes noting when site visit took place, who attended, etc.)

If so, plan

name: General Management Plan, Assateague Island National Seashore

Is the project in an approved plan such as a General Management Plan or an Implementation Plan with an accompanying environmental document? ☒ Yes ☐ No

Is the project still consistent with the approved plan? ☒ Yes ☐ No
(If no, prepare plan/EA or EIS.)

Is the environmental document accurate and up-to-date? ☐ Yes ☒ No
(If no, prepare plan/EA or EIS.)

FONSI ☐ ROD ☐ (Check

Date

approved: _____

one)

Are there any interested or affected agencies or parties?

Did you make a diligent effort to contact them? ☒ Yes ☐ No

Has consultation with all affected agencies or tribes been completed? ☐ Yes ☒ No
(If so, attach additional pages detailing the consultation, including the name, the dates, and a summary of comments from other agencies or tribal contacts.)

Are there any connected, cumulative, or similar actions as part of the proposed action? ☐ Yes ☒ No
(If so, attach additional pages detailing the other actions.)

Does this project change the existing function of the site? ☐ Yes ☒ No
(If yes, prepare plan/EA)

Are there multiple potential development sites for this project? ☐ Yes ☒ No
(If yes, prepare plan/EA)

Are there other development projects in area (or identified in GMP)? ☐ Yes ☒ No
(If yes, prepare plan/EA)

Are all utilities available/adequate to accomplish project? ☐ Yes ☒ No
(If no, prepare plan/EA)

F. INSTRUCTIONS FOR DETERMINING APPROPRIATE NEPA PATHWAY

Complete the following tasks: conduct a site visit or ensure that staff is familiar with the site's specifics; consult with affected agencies, and/or tribes; and interested public and complete this environmental screening form.

If your action is not described in DO-12 § 3.4 or if you checked yes or identified "data needed to determine" impacts in any block in Section D (Mandatory Criteria), you must prepare an environmental assessment or environmental impact statement.

If you checked no in all blocks in Section C (resource effects to consider) and checked no in all blocks in Section D (Mandatory Criteria) and if the action is described in DO-12 § 3.4, you may proceed to the categorical exclusion form. (Appendix 2 of DO-12 Handbook)

G. INTERDISCIPLINARY TEAM SIGNATORY *(All interdisciplinary team members must sign.)*

By signing this form, you affirm the following: you have either completed a site visit or are familiar with the specifics of the site; you have consulted with affected agencies and tribes; and you, to the best of your knowledge, have answered the questions posed in the checklist correctly.

Interdisciplinary Team Leader Name	Field of Expertise	Date Signed
Carl Zimmerman	Natural & Cultural Resource Management	3/28/2003
Technical Specialists Names	Field of Expertise	Date Signed
Michael O. Hill	Park Management	4/3/2005
Robert Fudge	Environmental Education & Interpretation	4/3/2005
Christine Gobrial	Park Planning	

H. This section may be filled out either as the project progresses or when environmental documentation is complete.

National Environmental Policy Act

(Choose one and fill in blanks)

Data entered
by:

Carl Zimmerman

☐ CE

Complete sections A-F before checking this box.

☒ EA

Public scoping date: MD-8/4/2003, VA-8/5/2003 NER Review date: _____

EA release to public: _____ FONSI date: _____

☐ EIS

NOI in FR: _____ NOA for DEIS _____

NOA for FEIS: _____ ROD date: _____

National Historic Preservation Act

Data entered
by:

Carl Zimmerman

Has the area been surveyed and NRHP resources identified?

☒ Yes ☐ No

Ground disturbance involved?

☒ Yes ☐ No

Archeological resources affected?

☒ Yes ☐ No

Historic structures affected?

☒ Yes ☐ No

Cultural landscapes affected?

☒ Yes ☐ No

Ethnographic resources affected?

☒ Yes ☐ No (If yes, interested parties contacted? ☒ Yes ☐ No)

☐ No Historic Properties Affected

☐ Programmatic Exclusion (Exclusion # _____)

If No Adverse Effect or Adverse Effect, choose the appropriate path and fill in the blanks

☐ No Adverse Effect

Date AEF or combined EA/AEF to SHPO/THPO _____

Date back from SHPO/THPO _____

Date consultation completed _____

Date mitigation completed _____

☐ Adverse Effect

Date AEF or combined EA/AEF to SHPO/THPO _____

Date to ACHP _____

MOA Date _____

Date consultation completed _____

Date mitigation completed _____

Endangered Species Act

Data entered by:

Carl Zimmerman

Any threatened/endangered species in area?

☒ Yes ☐ No

Date _____

If species in area ☐ No effect ☒ Not Likely to Adversely Affect ☐ Likely to Adversely Affect (If checked, consider ES)

Date to FWS 3/30/2005

Date FWS
response

4/11/2005 Phone conversation Eric
Davis

Floodplains/Wetlands/§404 Permits

Is project in 100- or 500-year floodplain, flash flood hazard area, or wetlands?

Data entered by: Carl Zimmerman
If yes, statement of findings
 Approval date _____

404 permit needed?

☒ Yes ☐ No _____

State 401 certification?

☐ Yes ☒ No _____

State Water Quality permit?

☐ Yes ☒ No _____

Tribal Water Quality permit?

☐ Yes ☒ No _____

CZM Consistency determination needed?

☒ Yes ☐ No _____

Other Permits/Laws

Consistent with Wilderness Act

Data entered by: Carl Zimmerman

☒ Yes ☐ No _____

Wilderness minimum requirement (tool) decision needed?

☐ Yes ☒ No _____

Wild and scenic river concerns?

☐ Yes ☒ No _____

National Trails concerns?

☐ Yes ☒ No _____

Air Quality consult w/State?

☐ Yes ☒ No _____

Consistent w/Architectural Barriers, Rehabilitation, and Americans with Disabilities Acts?

☐ Yes ☐ No _____

Other:

☐ Yes ☐ No _____

I. MITIGATING MEASURES TO BE INCLUDED IN PROJECT:

(Specify here or attach appropriate pages from EA, EIS, FONSI, or ROD)

J. SUPERVISORY SIGNATORY

Based on the environmental impact information contained in the statutory compliance file and in this environmental screening form, environmental documentation for the subject project is complete. If the project involves hot topics or sensitive issues, I have briefed the deputy or regional director.

Recommended:

Compliance Specialist	Telephone Number	Date

Approved:

Superintendent	Telephone Number	Date

B. Summary Table: Assateague Beach Coast Guard Station Cultural Landscape Defining Features

The following table is a summary of those findings and determinations regarding contributing/non-contributing features from the 2004 Cultural Landscape Inventory report.

Character-defining features related to:	Contributing (C)/ Non-Contributing (NC)/ Undetermined (U)
Topography	
remnant man-made dunes (reevaluate after 2012)	U
Vegetation	
beach vegetation	C
dune plant community	C
marsh plant community	C
saltmarsh (coveside) plant community	C
junipers	NC
Circulation	
catwalk	C
landing/pad, concrete at Station house porch steps (1934)	C
marine rail launchway and walkway	C
walkway, wooden	C
wharf, breakwater and T-dock with new and replaced railing	C
entrance road	U
road	U
sidewalk, concrete to generator house (reevaluate after 2009)	U
sidewalks, concrete at Station house	U
Buildings and Structures	
boathouse (1939)	C
garage (1922 boathouse)	C
lookout tower (1922)	C
pump house foundation (by 1949)	C
Station house (1922)	C
water tanks/cisterns (Station house 1922, garage early 1940's, boathouse by 1943)	C
generator house (1959-reevaluate after 2009)	U
power poles	U
Views and Vistas	
external view down pier to Station house	C
external view from boat approach	C
external view from boathouse loft	C
external view from dune	C
external view from NPS visitor's center	C
external view from ocean to Station to cove	C
external view from ruins	C
external view to Toms Cove from pier	C
view from Station house down boardwalk to boathouse	C
view from Station house to boat house/cove	C
view from Station house to ocean across yard	C
view from Station house to Station house cove-side dune	C
view from tower to cove/boathouse	C
view from tower to east beach across yard	C
view from tower to hook/road	C
view from tower to lighthouse/Fish & Guano ruin	C
view from tower to ocean	C
view from tower to west beach across marsh	C

Small Scale Features	
concrete from navy triangulation tower near Toms Cove	C
concrete septic cover (abandoned system)	C
bench mark, metal – 1976	NC
NASA weather instruments	NC
picnic table	NC
bench mark (1933 – original location unknown)	U
concrete base from possible flag pole	U
oil tank	U
signs above Station doors	U
wood base from loading ramp or sign	U
wooden posts near Toms cove	U
Archeological Sites	
Seaboard Fish & Guano Co. factory ruins	U
road traces	U

C. Coastal Zone Management Act Consistency Determination for the Preferred Alternative, B: Rehabilitation for Adaptive Use

This document provides the Commonwealth of Virginia with the National Park Service's Consistency Determination under CZMA section 307(c)(1) and 15 CFR Part 930, sub-part C, for alternatives for the future use and treatment of the former Assateague Beach Coast Guard Station, a Virginia Historic Landmark located on Assateague Island in Accomack County. The information in this Consistency Determination is provided pursuant to 15 CFR section 930-39.

The preferred alternative proposes to rehabilitate the Coast Guard Station and ancillary structures for adaptive reuse as a center for environmental research and/or education in partnership with an as yet undetermined organization, agency or group. This alternative is expected to improve the condition of cultural resources and values associated with the Station, and provide important new opportunities for environmental education and research focusing on the Assateague Island ecosystem.

The National Park Service has determined that the preferred alternative for the future use and treatment of the Assateague Beach Coast Guard Station will affect the land or water uses or natural resources of Virginia in the following manner:

As described in Chapter III, the preferred alternative (B) will have discernable, but generally beneficial or negligible to minor adverse effects on cultural resources and certain aspects of the natural environment within the project area. These effects are summarized in Chapter II, section G – Summary Matrix of Impacts of Alternatives.

The Virginia Coastal Resources Management Program contains the following enforceable policies that are applicable to the proposed project (preferred alternative):

Fisheries Management, to conserve and enhance finfish and shellfish resources and the promotion of commercial and recreation fisheries to maximize food production and recreational opportunities.

Wetlands Management, to preserve wetlands, prevent their despoliation and accommodate economic development in a manner consistent with wetlands preservation.

Dunes Management, to prevent destruction or alteration of primary dunes pursuant to the Coastal Primary Sand Dune Protection Act.

Shoreline Sanitation, to regulate the installation of septic tanks, set standards concerning soil types suitable for septic tanks, and specify minimum distances that tanks must be placed away from streams, rivers and other waters of the Commonwealth.

The project (preferred alternative) will not involve activities related to the enforceable policies for Subaqueous Lands Management, Non-point Source

Pollution Control, Point Source Pollution Control, Air Pollution Control, or Coastal Lands Management.

Based upon the following information, the National Park Service finds that the preferred alternative for the future use and treatment of the Assateague Beach Coast Guard Station is consistent to the maximum extent practical with the enforceable policies of the Virginia Coastal Resources Management Program.

Fisheries Management. As described in Chapter III, section B-3, Wildlife & Aquatic Life and their Habitats, the preferred alternative will result in a slight increase in boat traffic using the tidal waters of Toms Cove due to land access restrictions during the Piping Plover breeding season (April – September). In consideration of the number of boats already using the area, the slight increase in traffic associated with the project (estimate a maximum of 2 trips per day) will have a negligible effect on aquatic resources in the Cove.

Rehabilitation activities will include repairs to the existing boat dock and pier associated with the Station. Repairs may include replacement of pilings and/or other structural members which would involve the use of lumber products treated with chemical preservatives. Although marine-use wood preservatives contain chemicals that can be toxic in large concentrations, the limited scope of repairs and slow leaching rates minimizes the potential for adverse effects to aquatic resources.

Wetlands Management. Both tidal and non-tidal wetlands occur within the planning area for the proposed project. However, none of the activities associated with rehabilitating the Coast Guard facilities and adaptive reuse will occur in close proximity to those wetland resources and therefore pose a negligible threat.

Dunes Management. The primary dune system adjacent to the Station complex is the result of dune stabilization activities conducted during the 1960's. None of the proposed rehabilitation actions will occur in close proximity to the existing dune features. Increased use of the facility for environmental education and/or research poses a minor threat to the dunes from foot traffic by users of the facility. The threat will be mitigated by demarcating mandatory corridors for access between the Station complex and beach that avoid sensitive dune features.

Shoreline Sanitation. The increased use and occupancy that will result from rehabilitation and adaptive reuse will increase the amount of domestic wastewater being treated and discharged into the shallow groundwater beneath and adjacent to the Station. The existing septic system is, however, correctly sized for the anticipated demand, meets current standards for wastewater treatment systems, and is sufficiently distant from Toms Cove (>550 feet) to prevent adverse impacts to surface waters.

It should also be noted that the preferred alternative appears to be consistent with several of the advisory policies of Virginia's Coastal Resources Management Program including those related to Geographic Areas of Particular Concern (Coastal Natural Resource Areas) and Shorefront access Planning and Protection (Parks, Natural

Areas and Wildlife Management Areas; Waterfront Historic Properties). Pursuant to 15 CFR section 930.41, the Virginia Coastal Resources Management Program has 60 days from the receipt of this document in which to concur with or object to this Consistency Determination, or to request an extension under 15 CFR section 930.41(b). Virginia's concurrence will be presumed if its response is not received by the National Park Service on the 60th day from receipt of this determination. The State's response should be sent to:

Carl S. Zimmerman
Assateague Island National Seashore
7206 National Seashore Lane
Berlin, MD 21811
410.641.1443 x213

DRAFT

D. Agency Compliance Letters and Correspondence



United States Department of the Interior
National Park Service
 Assateague Island National Seashore
 7206 National Seashore Lane Berlin, Maryland 21811



March 31, 2005

Kathleen S. Kilpatrick, Director
 Virginia Department of Historic Resources
 801 Kensington Avenue
 Richmond, VA 23221

Re: Potential future uses and treatment of the Assateague Beach Coast Guard Station
 Assateague Island National Seashore, Accomack County, VA
 Notification of Combination NEPA/Section 106 Compliance

Dear Ms. Kilpatrick:


The purpose of this letter is to notify you of a National Park Service (NPS) planning process underway at Assateague Island National Seashore (ASIS) involving the former Assateague Beach Coast Guard Station. The Station complex, located on the southern tip of Assateague Island in Accomack County, was used by the U.S. Coast Guard as a base for search and rescue operations and other activities between 1922 and 1967. In 1967, the Station was transferred to the National Park Service. The site is a Virginia Historic Landmark, and has been determined eligible for the National Register of Historic Places.

Since its transfer to the NPS, the Station has been utilized in a variety of ways including as housing for summer employees and cooperators, short and long-term storage, and as a site for environmental education and cultural resource interpretation. In recent years, the Station's use has greatly diminished due to outstanding maintenance and repair needs, and problems accessing the Station during the summer months due to the presence of threatened species on adjacent beaches. The ongoing planning process will analyze alternatives to determine the most appropriate course of action for future use and treatment of Station, taking into account its historic nature as well as the sensitive natural environment in which it is located.

In order to comply with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) of 1966, as amended, an Environmental Assessment (EA) will be developed that will assess impacts of the proposed alternatives on natural and cultural resources. In accordance with section 800.8(3)(c) of the Advisory Council on Historic Preservation's regulations (36 CFR 800), I am notifying your office in advance of the park's intention to use the EA to meet its obligations under Section 106 of the NHPA. This EA, which will contain an Assessment of Effect for all cultural resources potentially affected by the proposed project, will be available for your review and comment later this year.

We look forward to receiving any guidance or comments you may have regarding the planning process or the Station itself. Thank you for your assistance with this matter. If you need additional information or have any questions regarding this request, please contact Carl Zimmerman at (410) 641-1443, extension 213, or by mail at the above address.

Sincerely,



Michael O. Hill
Superintendent

Enclosure

cc: Carl Zimmerman, NPS-ASIS
Christine Gobrial, NPS-NER-Philadelphia Support Office
Ethel Eaton, VA DHR



United States Department of the Interior
National Park Service
Assateague Island National Seashore
7206 National Seashore Lane Berlin, Maryland 21811



March 31, 2005

Karen Mayne
U.S. Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, VA 23061

Re: Potential future uses and treatment of the Assateague Beach Coast Guard Station
Assateague Island National Seashore, Accomack County, VA
Request for Information

Dear Ms. Mayne:

The purpose of this letter is to notify you of a National Park Service (NPS) planning process underway at Assateague Island National Seashore (ASIS) involving the former Assateague Beach Coast Guard Station. The Station complex, located on the southern tip of Assateague Island in Accomack County, was used by the U.S. Coast Guard as a base for search and rescue operations and other activities between 1922 and 1967. In 1967, the Station was transferred to the National Park Service. The site is a Virginia Historic Landmark, and has been determined eligible for the National Register of Historic Places.

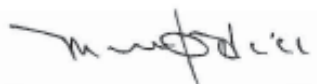
Since its transfer to the NPS, the Station has been utilized in a variety of ways including as housing for summer employees and cooperators, short and long-term storage, and as a site for environmental education and cultural resource interpretation. In recent years, the Station's use has greatly diminished due to outstanding maintenance and repair needs, and problems accessing the Station during the summer months due to the presence of nesting piping plover (*Charadrius melodus*) on adjacent beaches. The ongoing planning process will analyze alternatives to determine the most appropriate course of action for future use and treatment of Station, taking into account its historic nature as well as the sensitive natural environment in which it is located.

This letter serves as notification that we have begun the National Environmental Policy Act (NEPA) process and are proposing to have an Environmental Assessment (EA) available for public and regulatory review later this year. In addition, this letter serves as a record that the NPS is initiating informal consultation with your agency pursuant to the requirements of the 1973 Endangered Species Act, as amended. In order to comply, we are requesting information concerning federal and state rare, threatened, and endangered species documented or reasonably suspected within 0.5 miles of the project site, which is depicted on the enclosed map. We are also coordinating with the Virginia Departments of Game and Inland Fisheries and Conservation and Recreation to obtain and review their file information.

We are aware of the recurring presence of piping plover adjacent to the project area, of breeding and transient bald eagles in the general vicinity, and of the single occurrence of Sea Beach Amaranth (*Amaranthus pumilus*) near the project area during 2004. Should you know of or come across any other resource constraint that may be a possible planning issue, please do not hesitate to contact us. We anticipate no significant environmental impacts associated with the project and look forward to receiving any guidance or comments you may have regarding the process or the project itself.

Thank you for your anticipated assistance with this matter. If you need additional information or have any questions regarding this request, please contact Carl Zimmerman at (410) 641-1443, extension 213, or by mail at the above address.

Sincerely,



Michael O. Hill
Superintendent

Enclosure

cc: Carl Zimmerman, NPS-ASIS
Christine Gobrial, NPS-NER-Philadelphia Support Office
Bill Haglan, USFWS-Chincoteague National Wildlife Refuge



United States Department of the Interior
National Park Service
Assateague Island National Seashore
7206 National Seashore Lane Berlin, Maryland 21811



March 31, 2005

Ellie L. Irons
Program Manager
Office of Environmental Impact Review
629 East Main Street
Richmond, Virginia 23219

Re: Potential future uses and treatment of the Assateague Beach Coast Guard Station
Assateague Island National Seashore, Accomack County, VA
Request for Information/Notification of joint NEPA compliance/CZM Consistency
Determination

Dear Ms. Irons:

The purpose of this letter is to notify you of a National Park Service (NPS) planning process underway at Assateague Island National Seashore (ASIS) involving the former Assateague Beach Coast Guard Station. The Station complex, located on the southern tip of Assateague Island in Accomack County, was used by the U.S. Coast Guard as a base for search and rescue operations and other activities between 1922 and 1967. In 1967, the Station was transferred to the National Park Service. The site is a Virginia Historic Landmark, and has been determined eligible for the National Register of Historic Places.

Since its transfer to the NPS, the Station has been utilized in a variety of ways including as housing for summer employees and cooperators, short and long-term storage, and as a site for environmental education and cultural resource interpretation. In recent years, the Station's use has greatly diminished due to outstanding maintenance and repair needs, and problems accessing the Station during the summer months due to the presence of sensitive species on adjacent beaches. The ongoing planning process will analyze alternatives to determine the most appropriate course of action for future use and treatment of Station, taking into account its historic nature as well as the sensitive natural environment in which it is located.

This letter serves as notification that we have begun the National Environmental Policy Act (NEPA) process and are proposing to have an Environmental Assessment (EA) available for public and regulatory review later this year. At this stage, we are seeking information on any resource constraint or concern that may be a possible planning issue within the project area, which is depicted on the enclosed map. In addition, this letter serves as a record of our intention to use the EA to meet our obligations under the Coastal Zone Management Act of 1972. The EA will include a determination of consistency.

Should you know of or come across any other resource constraint that may be a possible planning issue, please do not hesitate to contact us. We anticipate no significant environmental impacts associated with the project and look forward to receiving any guidance or comments you may have regarding the process or the project itself.

Thank you for your anticipated assistance with this matter. If you need additional information or have any questions regarding this request, please contact Carl Zimmerman at (410) 641-1443, extension 213, or by mail at the above address.

Sincerely,



Michael O. Hill
Superintendent

Enclosure

cc: Carl Zimmerman, NPS-ASIS
Christine Gobrial, NPS-NER-Philadelphia Support Office



United States Department of the Interior
National Park Service
Assateague Island National Seashore
7206 National Seashore Lane Berlin, Maryland 21811



March 31, 2005

Virginia Department of Conservation and Recreation
Division of Natural Heritage
217 Governor St., 2nd Floor
Richmond, VA 23219

Re: Potential future uses and treatment of the Assateague Beach Coast Guard Station
Assateague Island National Seashore, Accomack County, VA
Request for Information

To whom it may concern:

The purpose of this letter is to notify you of a National Park Service (NPS) planning process underway at Assateague Island National Seashore (ASIS) involving the former Assateague Beach Coast Guard Station. The Station complex, located on the southern tip of Assateague Island in Accomack County, was used by the U.S. Coast Guard as a base for search and rescue operations and other activities between 1922 and 1967. In 1967, the Station was transferred to the National Park Service. The site is a Virginia Historic Landmark, and has been determined eligible for the National Register of Historic Places.

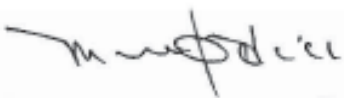
Since its transfer to the NPS, the Station has been utilized in a variety of ways including as housing for summer employees and cooperators, short and long-term storage, and as a site for environmental education and cultural resource interpretation. In recent years, the Station's use has greatly diminished due to outstanding maintenance and repair needs, and problems accessing the Station during the summer months due to the presence of nesting piping plover (*Charadrius melodus*) on adjacent beaches. The ongoing planning process will analyze alternatives to determine the most appropriate course of action for future use and treatment of Station, taking into account its historic nature as well as the sensitive natural environment in which it is located.

This letter serves as notification that we have begun the National Environmental Policy Act (NEPA) process and are proposing to have an Environmental Assessment (EA) available for public and regulatory review later this year. In order to comply with the 1973 Endangered Species Act, as amended, we are requesting a review of the Natural Heritage database to determine the potential presence of state rare, threatened, and endangered plant and insect species documented or reasonably suspected within 0.5 miles of the project site, which is depicted on the enclosed map. We are also coordinating with the U. S. Fish and Wildlife Service and Virginia Department of Game Inland Fisheries to obtain and review their file information.

We are aware of the recurring presence of piping plover adjacent to the project area, of breeding and transient bald eagles in the general vicinity, and of the single occurrence of Sea Beach Amaranth (*Amaranthus prostratus*) near the project area during 2004. Should you know of or come across any other resource constraint that may be a possible planning issue, please do not hesitate to contact us. We anticipate no significant environmental impacts associated with the project and look forward to receiving any guidance or comments you may have regarding the process or the project itself.

Thank you for your anticipated assistance with this matter. If you need additional information or have any questions regarding this request, please contact Carl Zimmerman at (410) 641-1443, extension 213, or by mail at the above address.

Sincerely,



Michael O. Hill
Superintendent

Enclosure

cc: Carl Zimmerman, NPS-ASIS
Christine Gobrial, NPS-NER-Philadelphia Support Office



United States Department of the Interior
National Park Service
Assateague Island National Seashore
7206 National Seashore Lane Berlin, Maryland 21811



March 31, 2005

Virginia Department of Game and Inland Fisheries
Environmental Services Section
P.O. Box 11104
Richmond, VA 23230

Re: Potential future uses and treatment of the Assateague Beach Coast Guard Station
Assateague Island National Seashore, Accomack County, VA
Request for Information

To whom it may concern:

The purpose of this letter is to notify you of a National Park Service (NPS) planning process underway at Assateague Island National Seashore (ASIS) involving the former Assateague Beach Coast Guard Station. The Station complex, located on the southern tip of Assateague Island in Accomack County, was used by the U.S. Coast Guard as a base for search and rescue operations and other activities between 1922 and 1967. In 1967, the Station was transferred to the National Park Service. The site is a Virginia Historic Landmark, and has been determined eligible for the National Register of Historic Places.

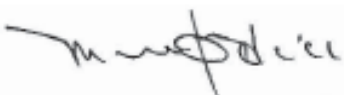
Since its transfer to the NPS, the Station has been utilized in a variety of ways including as housing for summer employees and cooperators, short and long-term storage, and as a site for environmental education and cultural resource interpretation. In recent years, the Station's use has greatly diminished due to outstanding maintenance and repair needs, and problems accessing the Station during the summer months due to the presence of nesting piping plover (*Charadrius melodus*) on adjacent beaches. The ongoing planning process will analyze alternatives to determine the most appropriate course of action for future use and treatment of Station, taking into account its historic nature as well as the sensitive natural environment in which it is located.

This letter serves as notification that we have begun the National Environmental Policy Act (NEPA) process and are proposing to have an Environmental Assessment (EA) available for public and regulatory review later this year. In order to comply with the 1973 Endangered Species Act, as amended, we are requesting a review of the Wildlife and Natural Heritage database to determine the potential presence of state rare, threatened, and endangered species documented or reasonably suspected within 0.5 miles of the project site, which is depicted on the enclosed map. We are also coordinating with the U. S. Fish and Wildlife Service to obtain and review their file information.

We are aware of the recurring presence of piping plover adjacent to the project area, and of breeding and transient bald eagles in the general vicinity. Should you know of or come across any other resource constraint that may be a possible planning issue, please do not hesitate to contact us. We anticipate no significant environmental impacts associated with the project and look forward to receiving any guidance or comments you may have regarding the process or the project itself.

Thank you for your anticipated assistance with this matter. If you need additional information or have any questions regarding this request, please contact Carl Zimmerman at (410) 641-1443, extension 213, or by mail at the above address.

Sincerely,



Michael O. Hill
Superintendent

Enclosure

cc: Carl Zimmerman, NPS-ASIS
Christine Gobrial, NPS-NER-Philadelphia Support Office

W. Tayloe Murphy, Jr.
Secretary of Natural
Resources



Joseph H. Maroon
Director

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

217 Governor Street
Richmond, Virginia 23219-2010
Telephone (804) 786-7951 FAX (804) 371-2674 TDD (804) 786-2121

May 5, 2005

Carl Zimmerman
National Park Service
Assateague Island National Seashore
7206 National Seashore Lane
Berlin, MD 21811

Re: Assateague Beach Coast Guard Station

Dear Mr. Zimmerman:

The Department of Conservation and Recreation (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

According to the information currently in our files, the following natural heritage resources were found within a 2-mile radius of the project site:

Communities

Maritime Upland Forest
Maritime Wet Grassland

Animals

Delmarva Fox Squirrel (*Sciurus niger cinereus*, G5T3/S1/LE/LE)
Piping Plover (*Charadrius melodus*, G3/S2B,S1N/LT/LT) ———
Spectral Tiger Beetle (*Cicindela lepida*, G4/S1/NL/NL)
Wilson's Plover (*Charadrius wilsonia*, G5/S1B/NL/LE)

Plants

Big-head Rush (*Juncus megacephalus*, G4G5/S2/NL/NL)
Sea-side Knotweed (*Polygonum glaucum*, G3/S1S2/NL/NL)
Seaside Heliotrope (*Heliotropium curassavicum*, G5/S1/NL/NL)
Seaside Plantain (*Plantago maritime* var. *juncoides*, G5T5/S1/NL/NL)
Southern Beach Spurge (*Chamaesyce bombensis*, G4G5/S2/NL/NL)
Umbrella Flatsedge (*Cyperus diandrus*, G5/S1/NL/NL)

According to the information currently in our files, the following natural heritage resources were found within a 0.5-mile radius of the project site:

Communities

Maritime Wet Grassland

*State Parks • Soil and Water Conservation • Natural Heritage • Outdoor Recreation Planning
Chesapeake Bay Local Assistance • Dam Safety and Floodplain Management • Land Conservation*

Animals

Piping Plover (*Charadrius melodus*, G3/S2B,S1N/LT/LT)

Plants

Sea-side Knotweed (*Polygonum glaucum*, G3/S1S2/NL/NL)

Seaside Heliotrope (*Heliotropium curassavicum*, G5/S1/NL/NL)

Seaside Plantain (*Plantago maritime* var. *juncoides*, G5T5/S1/NL/NL)

Please note that Delmarva Fox Squirrel is currently classified as endangered by the United States Fish and Wildlife Service (USFWS) and the Virginia Department of Game and Inland Fisheries (VDGIF). The Piping Plover is classified as threatened by USFWS and VDGIF. Wilson's Plover is classified as endangered by VDGIF. Due to the legal status of these species, DCR recommends coordination with the USFWS and the VDGIF to ensure compliance with protected species legislation.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

In addition, our files do not indicate the presence of any State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

Any absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources. New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

The Virginia Department of Game and Inland Fisheries maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters, that may contain information not documented in this letter. Their database may be accessed from http://www.dgif.virginia.gov/wildlife/info_map/index.html, or contact Shirl Dressler at (804) 367-6913.

Should you have any questions or concerns, feel free to contact S. René Hypes at 804-371-2708. Thank you for the opportunity to comment on this project.

Sincerely,



S. René Hypes

Project Review Coordinator

CC: Eric Davis – USFWS
Andy Zadnik, VDGIF



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[Handwritten initials]

APR 2005

COMMONWEALTH of VIRGINIA

W. Tayloe Murphy, Jr.
 Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY
 Street address: 629 East Main Street, Richmond, Virginia 23219
 Mailing address: P. O. Box 10009, Richmond, Virginia 23240
 Fax (804) 698-4500 TDD (804) 698-4021
 www.deq.virginia.gov

Robert G. Burnley
 Director

(804) 698-4000
 1-800-592-5482

April 14, 2005

Mr. Michael O. Hill
 Superintendent, Assateague Island National Seashore
 USDO/National Park Service
 7206 National Seashore Lane
 Berlin, Maryland 21811

RE: 31-March 2005 Request for Information/Notification of joint NEPA compliance/CZM Consistency Determination; for Potential future uses and treatment of the Assateague Beach Coast Guard Station, Assateague Island National Seashore, Accomack County Virginia.

Dear Mr. Hill:

The Department of Environmental Quality – Office of Environmental Impact Review (DEQ-OEIR) is in receipt of your March 31, 2005 letter, requesting scoping comments for the proposed project. It is the policy of DEQ-OEIR to participate in NEPA scoping efforts by providing the guidance given herein. However, other agencies may have additional scoping comments or wish to provide instruction pertaining to the preparation of the NEPA document. We are forwarding this request to Virginia agencies (*), administering one or more of the Enforceable Policies of the Virginia Coastal Resources Management Program (see "Federal Consistency..." below) and potential stakeholders, on your behalf.

National Environmental Policy Act (NEPA) document review:

When the NEPA document is made available, the DEQ's Office of Environmental Impact Review (this Office) will coordinate Virginia's review of any environmental documents prepared pursuant to the NEPA and comment to the sponsoring agency on behalf of the Commonwealth. In order to ensure an effective coordinated review of the Environmental Impact Statement or Environmental Assessment and the consistency determination, the following is required:

Table 1: Requirements for NEPA review (customary):

Time required for NEPA review (customary):		# of documents required:
Environmental Assessment (EA)	30 days	18
Environmental Impact Statement (EIS)	45 days	18

Mr. Hill
Page 2

Federal Consistency under the Coastal Zone Management Act (CZMA):

Pursuant to the Coastal Zone Management Act of 1972, as amended, Federal activities affecting Virginia's coastal resources or coastal uses must be consistent with the Virginia Coastal Resources Management Program (VCP) (see section 307(c)(1) of the Act and the *Federal Consistency Regulations*, 15 CFR Part 930, sub-part C).

The project sponsor must provide a Federal Consistency Determination (FCD), pursuant to the CZMA, which involves an analysis of the activities in light of the Enforceable Policies of the VCP (attachment), and a commitment to comply with the Enforceable Policies. The DEQ-OEIR review process for the FCD is similar to the NEPA review process. The FCD may be provided as a component of the NEPA documentation or independently, depending on the sponsoring agency's preference. In order to ensure an effective coordinated review of the consistency determination, the following is required:

Table 2: Requirements for Federal Consistency Determination review

Time required for review (*):	# of documents required:
Federal Consistency Determination <u>60 days</u>	<u>18</u>
(*) <i>Federal Consistency Regulations 930.41(a).</i>	

Table 3: Requirements for 2 Independent reviews (NEPA & FCD)

Time Required for 2 Independent Reviews:	# of Documents Required:
(**) NEPA (EA) 30 days	18
+ Federal Consistency Determination <u>60 days</u>	<u>18</u>
Total: 90 days	36
(**) NEPA: (EIS add 15 days = 105 days)	

Combined NEPA and FCD Review (Recommended):

DEQ-OEIR recommends the project sponsor provide the FCD as a component of the NEPA document. This will facilitate a combined NEPA and consistency review. Reviewing concurrently will help streamline the review process and may help expedite agency responses.

In order to ensure an effective coordination of a combined review of the Environmental Impact Statement or Environmental Assessment and the consistency determination, the following is required:

Table 4: Requirements for Combined (Concurrent) Review

Total Time Required for Combined Review (*):	# of Documents Required:
Concurrent NEPA and FCD review: <u>60 days</u>	<u>18</u>

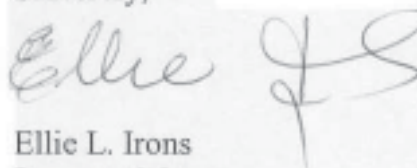
Section 930.39 of the Federal Consistency Regulations and Virginia's Federal Consistency Information Package (see below) give content requirements for the consistency determination. The Federal Consistency Information Package is available on DEQ's web site, <http://www.deq.state.va.us>.

Mr. Hill

Page 3

If you have questions about the environmental review process or the Federal Consistency Review process, please call me (telephone (804) 698-4325) or Ernst Aschenbach of this Office (telephone (804) 698-4326).

Sincerely,



Ellie L. Irons
Program Manager
Office of Environmental Impact Review

cc: Keith Tignor; Department of Agricultural and Consumer Services

Department of Conservation and Recreation:

Alice R. T. Baird; DCR-Division of Chesapeake Bay Local Assistance*

DCR-Division of Soil and Water Conservation* c/o

Robert S. Munson; DCR-Division of Planning and Recreation Resources

Synthia Waymack; DCR-Division of Natural Heritage

Department of Environmental Quality:

DEQ-Office of Environmental Impact Review* (this Office)

Harold J. Winer; DEQ-Tidewater Regional Office*

Catherine M. Harold; DEQ-Water Division*

Kotur S. Narasimhan; DEQ-Air Division*

Allen Brockman; DEQ-Waste Division

Mike Foreman; Department of Forestry

Andrew K. Zadnik; Department of Game and Inland Fisheries*

Alan D. Weber; Department of Health*

Ethel R. Eaton; Department of Historic Resources

Gerald Wilkes; Department of Mines, Minerals and Energy

Tony Watkinson; Marine Resources Commission*

Thomas A. Barnard, Jr.; Virginia Institute of Marine Science

Sandra Manter, County Planner; Accomack County

Oliver H. Bennett, Chairman; Accomack-Northampton Planning District Commission

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- *National Park Service Management Policies 2001.* National Park Service , US Department of the Interior.